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RUEHBY/AMEMBASSY CANBERRA PRIORITY 6461
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RUEAIIA/CIA WASHINGTON DC PRIORITY
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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 007490

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SUBJECT: ASSEMBLY NARROWS FIELD OF POSSIBLE CONSTITUTION
DRAFTERS

Classified By: Charge d'Affaires Alex A. Arvizu, reason: 1.4 (b) and (d).

SUMMARY

1. (C) The National People's Assembly (NPA) on December 18 elected 200 of its 1,982 members as short-listed candidates for the Constitution Drafting Assembly (CDA). Following its ceremonial opening on December 17, the NPA -- whose sole purpose is to provide candidates for the CDA -- began its first working session with the election, well in advance of the seven-day deadline for it to conclude its work. The Council for National Security (CNS) will screen the 200 and select 100 for the CDA. The speed with which the NPA carried out its election is encouraging but came at a price: there has been much criticism of the process, with so far unresolved allegations of vote-buying and interference. End Summary.

GETTING RIGHT DOWN TO BUSINESS

2. (U) On December 17, Crown Prince Vajiralongkorn presided over the ceremonial opening of the National People's Assembly. Per the interim constitution issued by the council of military officers who carried out the September 19 coup d'etat, the NPA was to consist of no more than 2,000 members, of whom 200 were to be selected as potential members of the Constitution Drafting Assembly. National Legislative Assembly (NLA) President Meechai Ruchupan (not a member of the NPA) acted as NPA President, in accordance with provisions of the interim constitution, which also entitled Meechai to prescribe the rules and procedures for the election.

3. (U) Convening on December 18, the NPA, without debate over modalities, elected the 200 potential CDA members. In accordance with constitutional provisions, NPA members were entitled to vote for three of their colleagues, and those who received the most votes were short-listed, with ties resolved by the drawing of lots. The top candidate got 55 votes. At the bottom end, 36 people tied with seven votes each; 16 of those were chosen by lot to make up the 200. Although the NPA consisted of representatives of various sectors, including political parties, state officials, constitutional experts, academics, and others, there was no overt attempt to ensure a particular distribution of skill sets among the CDA hopefuls, and NPA members had no official medium to campaign for membership in the CDA. Press reports cited allegations that military officials lobbied for certain candidates, and

that others engaged in vote-buying. Some NPA members criticized the voting process as sloppy, with few controls to ensure the integrity of the ballots.

¶4. (C) The 200 winners include a diverse range of figures, such as a BMW executive and Angkana Neelaphaijit, the wife of missing (and presumed dead) Muslim lawyer Somchai Neelaphaijit. Several of the top vote winners are unlikely choices and tend to lend credence to the allegations of vote rigging. For example, the number three candidate (50 votes) runs a local construction business in the Northeast and has only a high school education. One NPA member commented that people may have bought a place on the CDA to increase their chances of getting a royal decoration. There is so far no indication of any attempt to investigate these allegations.

¶5. (U) The press has not yet identified any of the 200 as experts in constitutional law. Some prominent NPA members with legal backgrounds failed to make the cut, including two former presidents of the Constitutional Court. A list of the 200 names indicates that 11 are active duty or retired military or police officers, while 22 are professors or assistant professors.

NEXT STEPS

¶6. (U) The Council for National Security will vet the 200 nominees and select 100 for appointment to the CDA. The CNS has full discretion in making its selection. The interim constitution provides no deadline for the CNS to narrow the list; we estimate the CNS will have the 100 names ready for royal appointment in January. The CDA must produce a constitution within 180 days of its first meeting; after the

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CDA completes work on the constitution, a referendum will take place 15-30 days later. Thus, a mid-January inauguration of the CDA would imply a mid-August constitutional referendum, at the latest.

COMMENT

¶7. (C) The interim constitution required the NPA to select its 200 CDA candidates within seven days of its first meeting; the NPA completed the task in a single day. The speed with which it acted was encouraging but came at a price: NPA members complained publicly that they had no chance to campaign or shape the election modalities. Allegations of official interference and vote-buying are, so far, unresolved. Those concerned by these questions may decide it is not worth fighting over. The CNS will now choose 100 for the Constitution Drafting Assembly, rendering the other 100 largely irrelevant. Still, this is not an auspicious beginning.

ARVIZU